

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CURTIS M. COLLINS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-739-SLR
)	
SGT. JAMES CHANDLER,)	
C/O BEREZANSKY, C/O DAISEY,)	
NURSE HELEN WHITLEY, and)	
DR. ROBERTA BURNS,)	
)	
Defendants.)	

ORDER

At Wilmington this ~~18~~¹⁹ day of July, 2007, having considered plaintiff's pending motions;

IT IS ORDERED that:

1. Plaintiff's motion to compel medical records/reports is **denied** as moot. (D.I. 50) The record reflects State defendants provided plaintiff with a complete copy of his medical records. See D.I. 55, 56.
2. Plaintiff's motions to amend the complaint and direct service upon C/O Shawn Emerick are **denied**. (D.I. 67, 102) Plaintiff seeks to add the claims of excessive force and assault and battery against a new defendant C/O Shawn Emerick. State defendants object to the motion on the basis that plaintiff is dilatory in his request. The incident reports indicate that C/O Emerick was present during the August 6, 2005 incident. Plaintiff has had ample time, but waited until late in the litigation to seek leave to amend the complaint to add a new defendant.

3. Plaintiff's motions for evidentiary and oral hearing (D.I. 68, 83) are **denied**.


UNITED STATES DISTRICT JUDGE